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STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION
FROM CHAPTER 103D, HRS

1. TO: Chief Procurement Officer
2. FROM: Dept. of Transportation, Airports Division, Oahu District

Department/Division/Agency

Pursuant to §103D-102(b)(4), HRS, and Chapter 3-120, HAR, the Department requests a procurement exemption to purchase the following:

3. Description of goods, services or construction:
See attached addendum.

4. Name of Vendor: Personal Service Contract

Address:

5. Price:

\$100,000.00
see attach

6. Term of Contract: From: 09/06/2010 To: 09/05/2011

7. Prior Exemption Ref. No.

8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:
See attached addendum.

9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:
See attached addendum.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:
See attached addendum.

REQUEST FOR EXEMPTION FROM CHAPTER 103D, HRS (Cont.)

12. A list of agency personnel, by position, who will be involved in the approval process and administration of the contract:		
Name	Position	Involvement in Process
James Pratt <i>JP</i>	Oahu District Airport Manager	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Sidney Hayakawa <i>SAH</i>	Administrative Services Officer	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
Brian Sekiguchi <i>BS</i>	Deputy Director of Airports	<input checked="" type="checkbox"/> Approval <input checked="" type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration
		<input type="checkbox"/> Approval <input type="checkbox"/> Administration

13. Direct inquiries to:	Department: DOT- Airports, Oahu District
	Contact Name: Joe Guyton <i>JG</i>
	Phone Number: 808-834-6063
	Fax Number: 808-836-6468

Agency shall ensure adherence to applicable administrative and statutory requirements

14. *I certify that the information provided above is, to the best of my knowledge, true and correct.*

BN

Department Head

8-9-10

Date

Reserved for SPO Use Only	
15. Date Notice Posted <u>8/12/10</u>	
<p>The Chief Procurement Officer is in the process of reviewing this request for exemption from Chapter 103D, HRS. Submit written objections to this notice to issue an exemption from Chapter 103D, HRS, within seven calendar days or as otherwise allowed from the above posted date to:</p> <p align="right">Chief Procurement Officer State Procurement Office P.O. Box 119 Honolulu, Hawaii 96810-0119</p>	
<p>Chief Procurement Officer's comments:</p> <p align="center">Request has been withdrawn by the department.</p>	

16. ☐ APPROVED ☐ DISAPPROVED ☒ NO ACTION REQUIRED

James. J. ... 9/7/2010
Chief Procurement Officer Date

ADDENDUM TO SPO-07
STATE PROCUREMENT OFFICE
NOTICE OF AND REQUEST FOR EXEMPTION FROM CHAPTER 103D,
HRS
DOTA, OAHU DISTRICT
TRANSPORTATION SECURITY ADMINISTRATION'S NATIONAL
EXPLOSIVES DETECTION CANINE TEAM PROGRAM

#3. Description of service:

Under the auspices of the National Explosives Detection Canine Team Program (NEDCTP), after the successful completion of certified explosive detection training for the Canine Explosives Detection team (one handler and one dog), they are authorized to inspect suspicious items detected during TSA screening of passengers and baggages and to conduct searches of the airport terminals and aircraft when bomb threats are reported and deemed credible. The teams can identify explosives and explosive devices and components that are not efficiently ~~be~~ detected by other means; therefore, canine detection is the most cost effective proven method, which minimizes the time it will take to conduct physical checks of the airports and minimizes the costly delays to flights. ***The most critical aspect is that TSA's certified Canine Explosive Detection Team it is the only method recognized and authorized by TSA for explosive detection at airports.*** We have an existing Cooperative Agreement and Statement of Joint Objectives between TSA and DOTA, (documents classified as Sensitive Security Information), which authorizes TSA to provide the canine and training certification as well as to reimburse the DOTA \$50,000 per year per team; however the team must attend and successfully complete the TSA certification course held in Lackland, Texas. TSA will NOT permit nor recognize any other explosive detection canine team to conduct explosive detection activities at the Honolulu International Airport. The TSA is the sole source for providing the training and certification of Explosives Detection teams for airports across the country.

#5. Price:

\$100,000 total

- \$50,000 State share
- \$50,000 Federal share (\$50,000 per Explosives Detection team per year reimbursed through the TSA)

#8. Explanation describing how procurement by competitive means is either not practicable or not advantageous to the State:

TSA is the only vendor to certify the Canine Explosive Detection Teams. Additionally, DOTA has been advised by TSA that they will terminate our Cooperative Agreement and Statement of Joint Objective if we continue to allow Canine Detection Teams to be contracted to a third party vendor; therefore the only method to acquire and employ TSA Explosives Detection handlers is to acquire their services under a Personal Services Contract (PSC). We have explored the possibility of establishing civil service positions for the TSA canine handlers; however, the current class of civil service canine handlers (PSD, HPD) does not allow the salary range currently being paid to the Canine Detection Team, which is reimburseable to the DOTA. Due to sensitive security information (information controlled under 49 C.F.R. Parts 15 and 1520 not permitted for release

to the public) contained within the National Explosives Detection Canine Team Program (NEDCTP), the TSA prohibits the Honolulu International Airport from acquiring any other type of explosive detection service, which will result in the HNL not having the ability to conduct canine explosive detection activities.

#9. Details of the process or procedures to be followed in selecting the vendor to ensure maximum fair and open competition as practicable:

Due to the restrictions imposed on DOTA by TSA, there are no other methods or vendors to certify the Canine Detection Teams.

The competitive process used to select a Canine Handler is to advertise the open position on the secured TSA Canine Explosives Team website and through other appropriate methods so that all interested candidates are notified. They will then submit their qualifications in a form of a resume to the Airport Security Manager. All applicants will be interviewed by an Evaluation Committee, approved by the Airport District Manager. Interviews will be conducted with all applicants and each individual will be evaluated through a ranking and rating system. The interview board will recommend their selection to the Airport District Manager who will make the final selection. This process is mirrored after the current State announcement and selection process.

10. A description of the agency's internal controls and approval requirements for the exempted procurement:

The internal controls and approval requirements are dictated by TSA under the National Explosives Detection Canine Team Program (NEDCTP), their Cooperative Agreement and their Statement of Joint Objectives.

All Handlers under a PSC will be under the supervision of the Oahu District Airport Security Manager (Project Manager). Handlers will abide by provisions stated in their PSC and State policies and procedures. Competitive procedures will continue to be monitored and regular audits of interview questions, ranking and rating sheets will be conducted. Any weaknesses will be improved. PSCs will be renewed on an annual basis, based on successful performance will not be extended automatically.